

KENTUCKY BOARD OF LICENSURE FOR OCCUPATIONAL THERAPY
MINUTES
August 12, 2004

A meeting of the Kentucky Occupational Therapy Board was held at the Division of Occupations and Professions, Frankfort, KY on August 12, 2004.

MEMBERS PRESENT

Julya Westfall, Chair
Kelly Nash, Vice-Chair
Teresa Conley-Buckner

OCCUPATIONS & PROFESSIONS STAFF

Karen M. Robinson, Board Administrator
John Parrish, Division Director
Susan Ellis, Fiscal/Financial Operations Supervisor

OTHERS

James Grawe, Office of the Attorney General
Linda Freudenberger, KOTA Representative

ABSENT

Laura Strickland

Board Chair, Julya Westfall, called the meeting to order at 9:25 A.M.

Approval of Minutes

Minutes of the July 22, 2004 meeting were presented for the Board's review. A motion was made by Kelly Nash to approve the minutes. Motion, seconded by Teresa Conley-Buckner, carried.

Approval of Financial Statement

The Board reviewed the financial statement for July 1, 2004 through July 31, 2004. After review, Teresa Conley-Buckner made the motion to accept the financial statements as presented. Motion, seconded by Kelly Nash, carried.

Susan Ellis, Fiscal and Financial Operations Section Supervisor, briefly addressed the Board concerning mileage reimbursements and answered miscellaneous questions concerning financial operations for the Board.

Licensure Status Report

A licensure status report for the month of July 31, 2004 was provided for member information. The report showed that there are currently 1563 licensed OTs and 405 OTAs along with 198 OTs and 10 OTAs certified to practice in Deep Physical Agent Modalities.

New Business

The Board agreed that it is policy for the administrative staff to send cease and desist letters to OTs and OTAs via certified mail, as opposed to sending these letters regular mail.

The Board volunteered themselves to accept the Executive Branch Ethics Commission's Model Code of Ethics for State Board and Commission Members as their standard for the KBLOT members.

The Board agreed that Laura Strickland's response to Laura Cullen's question regarding documentation requirements for OTAs was acceptable and spoke for the entire Board's opinion.

The Board requested Karen Robinson to respond to Catherine Gantt regarding OTAs writing physician orders. The Board referred Ms. Gantt to 201 KAR 28:130 Section 3 (7), which states that OTA actions must meet standards of (6) by which the regulation of the law is judged.

The Board requested Karen Robinson to respond to Brooke Sparkman regarding level two students and if they are allowed to treat patients with Medicare and if a supervisor must be present during vision treatments. The Board advised Ms. Sparkman to refer to 201 KAR 28:130 Section 5 and also advised that she review Medicare's regulations in regards to this matter.

The Board requested Karen Robinson to respond to Andrew Donelson regarding the timeframe required on initial recertifications for OTs. The Board responded to Mr. Donelson by advising that federal Medicare regulations are separate from state licensure regulations and that a licensed OT should adhere to 201 KAR 28:140 Section 2 (13) in this matter.

The Board requested Karen Robinson to respond to Jean Stiles regarding whether OTs and OTAs can provide dysphagia if they are fully trained to practice this procedure. The Board advised Ms. Stiles to refer to KAR 28:140 Section 2 (10) and (12) and that KRS 319A 010 does not preclude this issue.

Old Business

John Parrish announced to the Board that he had communicated with the Governor's office regarding the three vacant appointments to this Board and that the Governor's office is working very diligently to fill those vacant positions. Julia Westfall stated that she is willing to stay on the Board until another member is found.

Teresa Conley-Buckner shared more information with the Board regarding the topic of anodyne therapy. After a brief discussion, the Board agreed that anodyne therapy can be considered superficial and that licensees who want to practice this form of treatment must be competent in using this type of therapy.

James Grawe and Laura Strickland are continuing to work on the low vision regulation updates. Mr. Grawe and Ms. Strickland will share more information at the next Board meeting.

Pending Complaints

Kelly Nash made a motion to go into Executive Session to discuss complaints. Motion, seconded by Teresa Conley-Buckner, carried.

Kelly Nash made a motion to come out of Executive Session. Motion, seconded by Teresa Conley-Buckner, carried.

The following actions were taken on the complaints discussed in the Executive Session:

OT-2003-01 - A formal complaint is pending.

OT-2004-01 - The investigation is pending.

Closed Complaints

The Board reviewed an application for license renewal and compliance to an Agreed Order by an impaired occupational therapist. The Board agreed to approve the licensure renewal for the OT and accepted the compliance to the agreed order. The Board requested James Grawe to respond to the impaired OT of the Board's acceptance.

Special Complaints

The KBLOT administrative office received a letter from Baptistworx and the Kentucky Board of Physical Therapy regarding the actions of an OT performing physical therapy on patients. The Board requested Karen Robinson to treat this issue as a complaint and to request a response from the licensee. The Board also asked Ms. Robinson to send a letter to the representative at Baptistworx and KBPT informing them that the KBLOT will investigate the matter.

The Kentucky State Board of Physical Therapy sent information to the KBLOT regarding false advertising of OTs working in a facility. The Board requested James Grawe to draft a letter to the facility alleged advertising falsely for OTs working and to the KBPT thanking them for the information.

The Board reviewed a returned certified mailing from a terminated temporary permit holder who worked in the state of Kentucky without a permit. The Board requested Mr. Grawe to draft a letter and forward to Karen Robinson to send to the unlicensed occupational therapy assistant.

DPAM APPLICATION REVIEW

A motion was made by Teresa Conley-Buckner to approve the following deep physical agent modality applications as discussed. Motion, seconded by Kelly Nash, carried.

DPAM Specialty Certification - Emily M. Brock, OT/L, Karin J. Foster, OT/L, Kimberly L. Molter, OT/L and Kimberly L. McCloud, OT/L.

Kevin B. Lee, OT/L was denied approval for a DPAM specialty certification because infrared and cryotherapy are considered superficial modalities and not deep physical agent modalities. Once the correct modalities are completed, the Board will review Mr. Lee's DPAM Certification application again.

DPAM Specialty Certification Supervisor – Margaret J. Blain, Laura B. Blankenship, Mike P. Good, Leah M. Lacy, Joseph R. Lopez, Kimberly D. Profumo and Maureen Watson.

DPAM Course, Workshop, or Seminar Provider

Application from Laura Strickland, Auerbach School of Occupational Therapy was approved for 36 hours of continuing education credit for the course "*DPAMs Certification Workshop for OTs*" scheduled to be held October 16-17, 2004 and November 6-7, 2004.

Application from Sandra Bellows, Cardinal Hill Rehabilitation Hospital was approved for 7.5 hours of continuing education credit for the course "*Evaluation & Functional Treatment Approaches of the Hand & Upper Extremity: Splinting & Modalities*" scheduled to be held October 30, 2004.

Application from Neil Thornbury, Kentucky Occupational Therapy Association was approved for 15 hours of continuing education credit for the course "*DPAMs Seminar*" scheduled to be held September 9-10, 2004.

APPLICATION REVIEW

A motion was made by Teresa Conley-Buckner to approve the following applications as discussed. Motion, seconded by Kelly Nash, carried.

OT TEMPORARY PERMIT – Heather N. Jordan, Maria E. Page, Mary K. Qualls, Michelle L. Ruby and Lisa M. Wright.

OTA/L – Jennifer K. Szendi

OT/L – Amanda L. Degenhart, Andrea S. Hubbard, Sharyn A. Krazer, Melissa J. McKeehan, Kristi A. Tingley and Pamela J. Turley.

OT/L Reinstatement – Beth M. Gartman

Continuing Education Approval

A motion was made by Kelly Nash to approve requests of continuing education courses as amended for today's meeting. The motion, seconded by Teresa Conley-Buckner, carried.

Approval of Travel and Per Diem

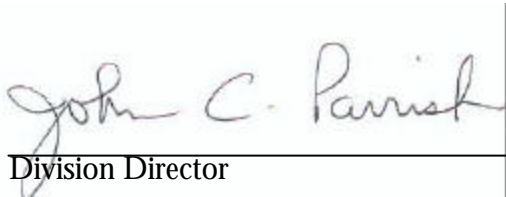
A motion was made by Teresa Conley-Buckner to approve travel and per-diem for today's meeting. The motion, seconded by Kelly Nash, carried.

Adjournment

With all business completed, the meeting adjourned at 11:05 A.M.

The next meeting of the Kentucky Board of Licensure for Occupational Therapy will be held at 9:00 A.M. September 14, 2004 at the Division of Occupations and Professions, Frankfort, KY.

Approved by the Board
September 16, 2004



Division Director